

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR156
)	
v.)	
)	
JULIO VALERA-RAMIREZ and)	ORDER
CESAR LIZARRAGA-CASTRO,)	
)	
Defendants.)	
_____)	

This matter is before the Court on defendant Valera-Ramirez's motion to suppress (Filing No. 16); and defendant Lizarraga-Castro's motion to suppress (Filing No. 13); and the report and recommendation of the magistrate judge (Filing No. 30). The Court notes no objections have been filed to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed *de novo* the report and recommendation of the magistrate judge and finds said report and recommendation should be affirmed and adopted. Accordingly,

IT IS ORDERED:

1) The report and recommendation of the magistrate judge (Filing No. 30) is affirmed and adopted.

2) Defendants' motions to suppress (Filing Nos. 13 and 16) are denied.

3) Trial of this matter is scheduled for:

December 19, 2005, at 9 a.m.

in Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, or as soon thereafter as may be called by the Court. The ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between October 14, 2005, and December 19, 2005, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 14th day of October, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court